



California Fair Political Practices Commission

April 29, 1988

Barbara V.Z. Howard, Director
Governmental Relations
California School Employees Assn.
1127 11th St., Ste. 346
Sacramento, CA 95814

Re: Your Request for Advice
Our File No. I-88-133

Dear Ms. Howard:

You have requested general information regarding the reporting requirements imposed on candidates and officeholders under the campaign disclosure provisions of the Political Reform Act.^{1/}

Specifically, you have asked whether a candidate or officeholder must file a statement of organization and obtain an identification number from the Secretary of State if he or she receives \$1,000 in contributions.

Section 84101 requires a recipient committee to file a statement of organization (Form 401) with the Secretary of State, who assigns the committee an identification number to be used on all future campaign filings. A person or group of persons which receives \$1,000 in contributions during a calendar year is a recipient "committee" pursuant to Section 82013(a). However, because candidates and officeholders are separately defined in Sections 82007 and 82020, respectively, and are separately identified in the Act as having campaign disclosure obligations (Section 84200 *et seq.*), they are not included in the definition of recipient "committee" for purposes of filing the statement of organization.

In addition, nothing in the Act requires a candidate or officeholder to form a committee. Although most candidates and officeholders create committees and file statements of organization, some prefer to personally undertake the

^{1/}Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, *et seq.* All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

Barbara V.Z. Howard
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recordkeeping and reporting obligations imposed by the Act and do not use a committee name on campaign statements or other printed materials. Such candidates and officeholders are not required to file statements of organization and do not receive identification numbers from the Secretary of State, even if they receive \$1,000 in contributions. However, all candidates and officeholders are required to file campaign disclosure statements. Candidates and officeholders who receive \$1,000 in contributions during a calendar year or who make campaign expenditures totaling \$1,000 in a calendar year are required to file detailed reports disclosing all receipts and expenditures.^{2/}

I hope this information is helpful. Please do not hesitate to contact me at (916) 322-5662 if you have additional questions.

Sincerely,

Carla Wardlow

Carla Wardlow
Political Reform Consultant

^{2/}Candidates and officeholders who will not receive or spend \$1,000 during an entire calendar year are permitted to file a short form campaign statement which contains no detailed information regarding receipts or expenditures. (Section 84206.)

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March 30, 1988

TO: Carla Wardlow, Political Reform Consultant
FROM: Barbara V.Z. Howard, Director, Governmental Relations
RE: Campaign Committee and Committee I.D. Numbers

Per our conversation today relating to my various campaign disclosure questions, the following is true:

- * Candidates are not required to create a campaign committee, even when he/she receives campaign contributions of \$1,000.00.
- * Candidates choosing not to have a campaign committee, are not required to file a Statement of Organization, even when he/she receives \$1,000 in campaign contributions.
- * Candidates are not required to have political I.D. numbers, even when he/she receives \$1,000 in campaign contributions.
- * Candidates and officeholders must file campaign disclosure statements, even if a campaign committee is not created.

Please advise me if any of this information is incorrect.

Thank you for your assistance.

BVZH:sb



California Fair Political Practices Commission

April 5, 1988

Barbara V. Z. Howard
Director, Governmental Relations
California School Employees Association
1127 - 11th St., Ste. 346
Sacramento, CA 95814

Re: 88-133

Dear Ms. Howard:

Your letter requesting advice under the Political Reform Act was received on March 31, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Jeanne Pritchard *JP:plh*

Jeanne Pritchard
Chief
Technical Assistance and Analysis
Division

JP:plh